

Remarks

Claims 1-15, 17 and 19-31 are pending. Claim 3 is amended to more particularly point out and distinctly claim Applicant's invention.

The Examiner allowed Claims 1-2, 6-7, 9-15, 17 and 19-31.

The Examiner rejected Claims 3-5 and 8 under 35 U.S.C. § 112, second paragraph, as being indefinite on account of defects in Claim 3. As amended, Applicants believe the Examiner's rejection is overcome.

The Examiner rejected Claims 3-5 and 8 under 35 U.S.C. § 103(a) as unpatentable over U.S. Patent Publication US2003/0013462A1 ("Adachi") in view of U.S. Patent 6,321,091 ("Holland"). The Examiner states:

Adachi teaches a method and apparatus for tracking locations of a second mobile unit from a first mobile unit substantially as claimed including mobile terminals (101, 102, 103) which are registered as a group, a communication network (10, 105, 106, 107) and an administration station (108). Each mobile station determines position using GPS and modulates a transmit signal with the position data to the administration station. The administration gathers the location information and provides it to the requesting mobile station. Although Adachi gathers the information of all of the mobile terminals in preparation for communicating all of the location information and memory unit for storing all of the data would appear inherent, Adachi et al do not appear to clearly set forth the use of a location database to store the current locations. Holland teaches a method and apparatus for tracking mobile terminals 12 wherein the mobile terminals send their positions to a server computer 38 which stores the locations in a database 44 as is well known in the art, see col. 3, lines 50-52. It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Adachi by incorporating a conventional database for storing the current locations of mobile units such that the communication from the administration station to the requesting mobile terminal can be made in a single communication packet rather than merely

having the administration station relay the locations as they are received thereat.

Applicants argue that the claims recite an access control mechanism whereby a mobile unit is allowed access to location of others. This is met by the prior art since the access control is deemed to be met by the group of registered users. The allowed subject matter includes each of the satisfaction of a specified condition based on position in a request (search criterion) and the satisfaction of the access conditions. This is not set forth in the addressed claims.

As amended, Claim 3 now recites the allowable subject matter discussed in the above comments by the Examiner:

3. (Currently amended) A method comprising:

maintaining personal profiles each associated with a user of a mobile unit, each personal profile specifying an access condition under which a user of another mobile unit may access that personal profile;

receiving from a first unit a first packet including a request for access to personal profiles of users of said mobile units that satisfy a specified selection criterion and a current location of said first mobile unit, said first packet further providing at least one of:

personal information about a first user, said first user being a user of said first mobile unit; and

an announcement;

storing said current locations in a database; and

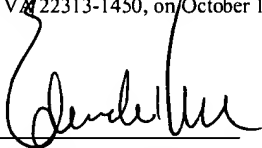
upon ascertaining that said user of said first mobile unit satisfies the access conditions associated with the personal profiles of one or more users of said mobile units that satisfy the specified selection criterion, transmitting a data package in response to said request from said first mobile unit.

(emphasis added)

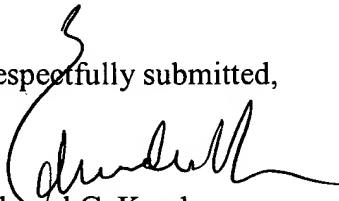
Thus, Claim 3 and dependent Claims 4-5 and 8 are believed to have overcome the Examiner's rejection. Reconsideration and allowance of Claims 3-5 and 8 are therefore

requested.

Therefore, for the reasons set forth above, all pending claims (i.e., Claims 1-15, 17 and 19-31) are allowable over the art of record. If the Examiner has any question regarding the above, the Examiner is respectfully requested to telephone the undersigned Attorney for Applicant at 408-392-9250.

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on October 14, 2004.	
	10/14/2004
Attorney for Applicant(s)	Date of Signature

Respectfully submitted,


Edward C. Kwok
Attorney for Applicant(s)
Reg. No. 33,938